

EXHIBIT 2

Bryson, Santana and Joshua v. Rough Country, LLC

Page 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

SANTANA BRYSON and JOSHUA)
BRYSON, as adminsitrators of)
the Estate of C.Z.B. and as)
surviving parents of C.Z.B., a)
deceased minor.,)
PLAINTIFF,)
VS.) CASE NO.: 2:22=CV=017-RWS
ROUGH COUNTRY LLC,)
DEFENDANT.)
_____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
FRIDAY, MAY 5, 2024

APPEARANCES:

FOR THE PLAINTIFF:

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(Appearances continued next page.)

REPORTED BY: JUSTUS BALENTINE, CSR 13859

1 injuries, in the Exponent crash test without the cargo?

2 A. Still likely because of the amount of
3 deformation that we can see on the -- mostly on the
4 videos of the crash test. So even so, yes, but there
5 would have been more deformation forward had all the
6 stuff been in the cargo area.

7 Q. How do you know that he would have died in the
8 Exponent crash test, even without the cargo?

9 A. Because I have seen the crash test results
10 including the videos that show the deformation and
11 forward movement of the Row 2 seat backs, and it's very
12 violent, it's very fast, it's very -- it's a lot of
13 movement, and so all of that structure would have been
14 pushed right into the back of Master Bryson.

15 Q. So then the cargo is irrelevant?

16 A. Well, not really irrelevant, like let's not talk
17 about it at all because it was part of the subject crash.

18 Q. And isn't it true that if the Exponent crash
19 test had included a Hybrid III instrumented dummy in the
20 same place that Cohen was, then we would have a very good
21 idea of whether he would have survived, but for the
22 cargo, regardless of the cargo?

23 MR. HILL: Object to form.

24 THE WITNESS: So in other words, had we put a
25 dummy, either an infant or three-year-old dummy, neither

1 of which match Cohen Bryson, in the spot, in the No. 4
2 position, and ran the Exponent test -- an instrumented
3 child dummy, and ran the Exponent test, we would have had
4 a really good idea, is what you're saying, of whether he
5 would have had fatal injuries?

6 BY MS. CANNELLA:

7 Q. Correct.

8 A. We would have had numbers, but we already know
9 that based on the movement and deformation of the rear
10 structures of the Escape.

11 Q. Well, you wouldn't have just had numbers, you
12 would have had numbers that correspond to injury values;
13 correct?

14 A. Right, right, exactly. We would have had
15 numbers.

16 Q. And that's -- sorry. I didn't mean to interrupt
17 you.

18 That's what NHTSA and car manufacturers use to
19 determine whether someone is likely to survive a crash;
20 correct?

21 A. In frontal and side crashes, yes, that's what
22 they use.

23 Q. Okay. The -- you said something else I wanted
24 to ask you about, and I think I've lost it now.

25 Oh, it's your opinion, then, that you can tell

1 that Cohen would have died in this crash just by looking
2 at the crash test videos and what's -- and the violence,
3 you said, of the movement inside the car; correct?

4 A. I mean, it's not just watching the videos.
5 That's the most obvious way to see how much movement
6 there is and how violent it is, et cetera, but based on
7 my experience in injuries, biomechanics, et cetera, and
8 all the other crash tests that I've seen and performed
9 and all the literature regarding real-world crashes as
10 well as crash tests, then I can see that that would have
11 resulted also in catastrophic, i.e. fatal injuries had
12 Master Bryson been in the Exponent test.

13 Q. Is there any NHTSA procedure that allows someone
14 to decide whether a crash is survivable or someone's
15 likely to get an injury based on looking at the crash
16 tests without any dummy data at all?

17 A. A NHTSA procedure, no. But they also don't --
18 there is no NHTSA procedure for injuries in rear crashes
19 at all.

20 Q. Is there any IIHS procedure that allows someone
21 to decide the likelihood of death or injury based on
22 looking at crash tests with no instrumented dummies at
23 all?

24 A. Same answer as the NHTSA.

25 Q. In your experience in the automotive industry,

1 did Ford ever have a crash test procedure where a person
2 could just look at the crash test and say whether there's
3 likely to be significant injury or death?

4 A. I didn't work in crash testing at all at Ford,
5 so I have no idea.

6 Q. Your disclosure says you will testify regarding
7 all aspects of the exemplar crash testing; is that
8 correct?

9 A. All as it pertains to kinematics and
10 biomechanics and injury causation. There are others,
11 including Mr. Grimes and Mr. Crosby, who will talk about
12 their parts of it.

13 Q. And can you talk about the setup of the crash
14 test at all, or is that left to somebody else?

15 A. In terms of biomechanics and injury caution and
16 kinematics, yes, but not, you know, how the crash testing
17 data collectors work and things like that. That would be
18 others.

19 Q. Did you help design the crash that Exponent did?

20 A. In terms of biomechanics and injury caution,
21 yes, but not in terms of speeds and vehicle lineups and
22 things like that. That was others.

23 Q. Okay. And how did that -- how did you give your
24 contributions to the design setup.

25 A. We had calls before the testing with the group

Bryson, Santana and Joshua v. Rough Country, LLC

Page 195

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF ALAMEDA)
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6 I, JUSTUS BALENTINE, Certified Shorthand
7 Reporter No. 13859, hereby certify that the foregoing
8 proceeding was taken by me at the time and place herein
9 set forth;

10 That the said proceeding was taken down by me
11 in shorthand and thereafter transcribed under my
12 direction and supervision, and I hereby certify the
13 foregoing proceeding is a full, true, and correct
14 transcript of my shorthand notes so taken;

15 That dismantling this transcript will void the
16 certification by the Certified Shorthand Reporter.

17 I further certify that I am neither counsel for
18 nor am I in any way related to any party to said action,
19 nor am I in any way interested in the outcome thereof.

20 IN WITNESS WHEREOF, I have subscribed my name
21 this 17th day of June, 2024.
22

23 
24

25 JUSTUS BALENTINE, CSR NO. 13859